

## REMARKS

### **A.     Status of the claims:**

Claims 20, 22, and 30 have been amended, and claims 23 and 28-29 have been canceled without prejudice or disclaimer, in order to simplify and reduce the cost of further prosecution of the present application. New claim 31 has been added. Claims 20-22 and 30-31 are pending and under examination.

Support for the amendments to claim 20 are discussed below, and support for new claim 31 can be found in the specification from p. 25, l. 19, to p. 26, l. 4; on p. 8, second paragraph, and in Example 16. Claim 30 has been amended to properly depend from independent claim 20.

Claim 20 has been amended to specify that the subject has cancer. Support for this amendment may be found in the specification from p. 25, l. 19, to p. 26, l. 4, and on p. 8, second paragraph.

Claim 20 has also been amended to specify that the cancer is not a brain cancer. The original claims and corresponding specification also explain that angiogenesis may be inhibited in a subject with cancer, in a tissue selected from the group consisting of heart, brain, pituitary, gonad, kidney, adipose, and gastrointestinal tract tissues. Support can be found in the specification from p. 25, l. 19, to p. 26, l. 4; on p. 8, second paragraph, and in Example 16. Therefore, the specification supports the following negative limitation in claim 20: “wherein the cancer is not a brain cancer.” *See* MPEP § 2173.05(i) (“If alternative elements are positively recited in the specification, they may be explicitly excluded in the claims.”) (citing *In re Johnson*, 558 F.2d 1008, 1019 (CCPA 1977) (“[the] specification, having described the whole, necessarily described the part remaining.”)).

**B. Novelty Rejection**

The anticipation rejection over Villalona-Calero is inapplicable in that the patients administered human CRF (hCRF) all had brain cancer, which is specifically excluded from the instant claims. Applicants again note that, in Villalona-Calero, hCRF was only administered to patients with brain cancer to test the hypothesis that hCRF would result in decreases in water retention in the brain, *i.e.*, reduce peritumoral brain edema. The Villalona-Calero reference is thus distinguishable in that the reference fails to teach or suggest administration of hCRF to a subject who has a cancer other than brain cancer.

**C. Enablement Rejection**

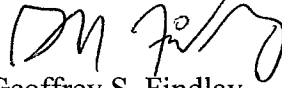
The enablement rejection, regarding claims directed to the inhibition of angiogenesis in a patient having a disease other than cancer, is inapplicable in view of the instant amendments, which require the inhibition of angiogenesis in a patient with cancer. Applicants thus submit that the rejection is thus moot, and Applicants will not list here all of the reasons that they agree with the Examiner regarding enablement of the inhibition of angiogenesis in a human individual with cancer.

**CONCLUSION**

Applicants believe that the foregoing remarks fully respond to all outstanding matters for this application. Applicants respectfully request that the rejections of all claims be withdrawn because they are in condition for allowance.

Should the Examiner desire to sustain any of the rejections discussed in relation to this Response, the courtesy of a telephonic conference between the Examiner and the undersigned agent at 512-536-5674 is respectfully requested.

Respectfully submitted,



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